

U.S. Serial No. 10/792,047  
Response To Restriction Requirement Dated October 12, 2006

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ARGUMENTS & REMARKS

In the Office Action mailed October 12, 2006, ("Restriction Requirement"), the Examiner issued a restriction requirement which identified

- Group I, claims 1-9, 12-22, drawn to coating, classified in class 514, subclass 729; and
- Group II, claims 10, 11, drawn to paint, classified in class 424, subclass 78.09.

In response to the Restriction Requirement, Applicant expressly takes no position on the correctness of the requirement. Applicant elects Group I, claims 1-9, 12-22, drawn to coating, classified in class 514, subclass 729, because of the administrative requirement than an election be made under 37 C.F.R. § 1.142; MPEP § 818.03(b). Accordingly, claims 10 & 11 are withdrawn by the present amendment.

As part of the Restriction Requirement, the Examiner required Applicant to elect a single disclosed species from the "Ultimate Compound of Formula (I)" genus. In response, Applicant expressly takes no position on the correctness of the election requirement. Applicant elects the species (-)-menthol, because of the administrative requirement than an election be made under 37 C.F.R. § 1.142; MPEP § 818.03(b). The species (-)-menthol election covers generic claims 1-8, 12-17 & 19-22 and claims 9 & 18 drawn to (-)-menthol.

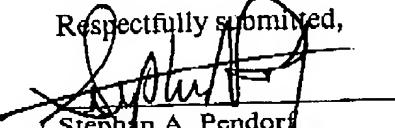
As part of the Restriction Requirement, the Examiner required Applicant to elect a single disclosed species from the "species of film former of ii of claim 1" genus. In response, Applicant expressly takes no position on the correctness of the election requirement. Applicant elects the species "a mixture of a natural rosin and a vinyl chloride-vinyl acetate copolymer," because of the administrative requirement than an election be made under 37 C.F.R. § 1.142; MPEP § 818.03(b). The (-)-menthol election covers generic claims 1-22.

Applicant hereby authorizes the Commissioner to charge the \$1020 fee for a retroactive three month extension of time to Deposit Account No. 50-0951. No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

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Should the Examiner believe that anything further is necessary, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

Respectfully submitted,

  
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Attorney Docket No.: 3968.094